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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,285	03/12/2004	David W. Farchmin	11003.00026.03AB047	1291
7590 Susan M. Donahue Rockwell Automation Inc. 704-P 1201 South Second Street Milwaukee, WI 53204-2496			EXAMINER GOODCHILD, WILLIAM J	
			ART UNIT 2433	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/800,285

Applicant(s)

FARCHMIN ET AL.

Examiner

WILLIAM GOODCHILD

Art Unit

2433

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 September 2011.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 54 and 56-73 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 54 and 56-73 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. ____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-C006)
Paper No(s)/Mail Date ____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: ____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 09/06/2011 have been fully considered but they are not persuasive.

A – Applicant argues: “Claim 54 requires, among other things, the steps of (1) providing a rule set including rules that indicate probable relative resource positions, (2) specifying that a first resource communicates with a second resource, (3) determining if relative juxtapositions of the first and second resources are consistent with the rule set and (4) performing a secondary function when the relative juxtapositions of the first and second resources are inconsistent with the rule set. Step (2) defines two resources that communicate with each other. In step (3), it is the position of these two resources (that communicate with each other) that are compared with the rule set. As indicated in a prior response, steps (1) and (3) above, when taken together, require that the rule set specify a probable relative juxtaposition of the first and second resources (i.e., if the rules did not specify probable relative positions of the first and second resources, then the first and second resource positions could never be consistent with the rule set). Turning to the cited reference, Bohannon fails to teach or suggest any of the above steps. Starting with step (2), the step calls for specifying that a first resource

communicates with a second resource. The Office Action cites Bohannon's col. 5, lines 32-46 as teaching the step of specifying that a first resource communicates with a second resource. Applicant has carefully reviewed Bohannon in its entirety, as suggested in the Office Action, and respectfully disagrees with the Office Action's assertion that Bohannon teaches the step of specifying that a first resource communicates with a second resource. Unfortunately, the Office Action merely provides columns and lines as indications where asserted teachings are found without providing any suggested correlation between the elements in Bohannon to the elements in the claims. Notably, lines 32-46 fail to describe any form of communication, and generally only describe that the auto parts can contain a number of RFID tags. Lines 46-53 do indicate that RFID sensors are required "in order to accurately determine the locations of the various RFID tags," but the use of RFID tags and RFID sensors does not describe or teach communication, or, more importantly, does not describe or teach a first resource communicating with a second resource. With this in mind, step (1) calls for providing a rule set including rules that indicate probable relative resource positions. These resources are the resources that communicate with each other. The Office Action cites Bohannon's col. 5, lines 54-65, and col. 6, lines 17-53 as teaching the step of providing a rule set including rules that indicate probable relative resource positions. Applicant has carefully reviewed Bohannon in its entirety and again respectfully disagrees with the Office Action. The cited text in Bohannon describes comparing locations of RFID tags to determine to determine their relative positions. Nowhere does Bohannon teach or describe that the RFID tags communicate with each other. The

claim calls for a rule set that is used on devices that communicate with each other (i.e., the first and second resource). Applicant's position holds true for steps (3) and (4) as well, in that the first and second resources are resources that communicate with each other, and Bohannon's comparison of RFID tag locations is not a rule set that indicates probable relative resource positions for resources that communicate with each other. For at least the above reasons, claim 54 and claims that depend there from are patentable over the cited references and Applicant requests that the current rejections be withdrawn.”.

A – The Examiner respectfully disagrees: Bohannon teaches that a first resource (Radio Frequency ID Tag) communicates with a second resource (sensor), the RFIF tag sends out a signal to the sensors and the positioning of the sensors will allow the system to determine the precise location of the RFID tag in 3-dimensional space. By comparing the positions of two RFID tags, it can be determined if the tags are positioned properly near each other (or against each other, etc.). A sensor can be considered a resource (as a resource is not specifically defined), and the sensor locations (approximate) must be determined and fit within the process in order to determine the approximate location of an RFID tag in 3-D space (if the sensors were not properly positioned, determining the correct location of the RFID tag in 3-D space would not be possible), meeting the limitation “specifying that a first resource communicates with a second resource”. Determining where the RFID tag is and if it is in the correct location relative to a defined

position would meet the limitation "providing a rule set including rules that indicate probable relative resource positions".

The Examiner agrees with applicants portion of the argument that relates to "Nowhere does Bohannon teach or describe that the RFID tags communicate with each other...", however, the Examiner does not see communication with each other within the claim (except in the amended claim 63, which now specifically says the resources are communicating with each other), the claim states that a first resource communicates with a second resource, which is described above.

B – Applicant argues "Regarding claim 68, again, Applicant has carefully reviewed Bohannon in its entirety, as suggested in the Office Action, and respectfully disagrees with the Office Action's assertion that Bohannon teaches the steps of claim 68. Again, the Office Action merely provides columns and lines as indications where asserted teachings are found without providing any suggested correlation between the elements in Bohannon to the elements in the claim. The claim first calls for associating a space within the environment with the process. The cited Bohannon text (col. 5, lines 54-65, and col. 6, lines 17-53) fails to describe any form of association, let alone associating a space with a process. Bohannon teaches identifying a location of an RFID tag (or tags) and comparing the location (or locations) to see if they are sufficiently close to each other. Even considering for argument that the location of the RFID tag is "the space," the RFID tag location is not associated with any process. Next, the claim calls for providing at least a first information device that includes the processor. It would appear

that the Office Action was equating either RFID sensors or RFID tags (as described in the cited Bohannon text col. 5, lines 46-53) to a first information device that includes the processor. If this is true, then Bohannon fails to teach the step of using the processor to automatically perform the steps of (i) identifying the resources to be positioned within the sub-space; (ii) identifying the tags associated with the resources; and (iii) indicating the tags associated with the resources. The Office Action again cites col. 5, lines 54-65, and col. 6, lines 17-53 as teaching using the processor to automatically perform the steps of..., yet the cited Bohannon text fails to teach using either an RFID tag or an RFID sensor 1) that has a processor, and 2) if either had a processor, using the processor to perform any of the steps as claimed. For at least the above reasons, claim 68 and claims that depend there from are patentable over the cited references and Applicant requests that the current rejections be withdrawn.”.

B – The Examiner respectfully disagrees: Bohannon teaches associating a space within the environment with the process in that the process that is run on the computing device will associate the position of an RFID tag to another RFID tag to determine if they are correctly positioned according to the system process. A space is associated with this process as the position of the RFID tag is within the associated space.

Further, Bohannon teaches that a system (i.e., a computing system with a database) that runs a process that determines where an RFID tag should be in relation to another RFID tag and keeps track of the RFID tags via the sensors that the RFID tags communicate with. The system automatically determines the position of the resources

and the tags of the resources in order to track the location and determine if the RFID tags are in the correct position. It is unclear if the argument is relating the “first information device” with the “information device”, whereas it would seem that the claim is making a distinction between the two, by labeling them differently.

C – Applicant argues “In section 4, claims 54, 56-59, 62-64 and 68 were rejected under 35 U.S.C. 102(e) as being anticipated by Lemelson et al., (US Pub. 2003/0208302). As defined in the preamble of claim 54, the claim is directed to, among other things, a method for validating likely correct resource communications. The resources are to be arranged to perform a process. Lemelson, on the other hand, describes systems and methods that use known location detection techniques (GPS, CDMA) to locate work pieces and robots so the robot can work on the work piece. Claim 54 calls for the step of providing a rule set including rules that indicate probable relative resource positions. Again, unfortunately, the Office Action merely provides paragraphs as indications where asserted teachings are found without providing any suggested correlation between the elements in Lemelson to the elements in the claims. Paragraphs 19, 23, and 27 were cited. Paragraphs 19 and 27 describe a method where a marker is placed on an object, the location of the object is determined (via the marker) and stored in a processor, a marker is placed on a robot, the location of the robot is determined (via the second marker), and then the location of the object relative to the robot can be determined. The location of the robot relative to the object can also be adjusted. Paragraph 23 discloses use of position indicators to send position information. None of the cited paragraphs, nor

the remainder of Lemelson, describe any form of a rule set including rules that indicate relative resource positions.

Claim 54 also calls for specifying that a first resource communicate with a second resource. These are the resources that the rules are applied to. Paragraphs 19-20 and 27 were cited. Although paragraph 23 does state that CDMA or other communication techniques may be used to handle communication between multiple positioning indicators, the positioning indicators are not resources that are arranged to perform a process. In addition, paragraph 65 describes this "communication" where the position indicators broadcast their three dimensional position to the controller. What rules are applied to the controller? None, so it can't be considered a resource. The cited text in Lemelson fails to teach specifying that a first resource communicate with a second resource, where the resources have rules applied to them indicating probable relative resource positions."

C – The Examiner respectfully disagrees: Lemelson describes a position of two resources that when in the proper position (this is a rule set that determines the proper position), which is set up by a process that was established prior to the pieces being in position [Lemelson, paragraph 27, lines 15-24, see also paragraphs 18 (which describes preprogrammed processes, that can only be done when in the proper position) and 19 and 23.

Further, Lemelson teaches that a first resource communicates with a second resource. In order to determine the location of a resource, there must be a starting position or

known position of the first resource or another resource to compare against. In this case, as with Bohannon, there are multiple resources that do not communicate with each other, but one will communicate with another (i.e., a first resource (the robot) communicates with a second resource (the GPS satellite), and a third resource (the resource that the robot needs to be in a certain position to accomplish work with) can also communicate with the second resource. The resources are arraigned to perform a process (some sort of task, that requires one resource to be positioned near another).

D – The applicant argues “Regarding claim 68, and as discussed above, the claim first calls for associating a space within the environment with the process. The cited Lemelson paragraphs 19- 20 and 27 also fails to describe any form of association, let alone associating a space with a process. Lemelson teaches placing an object on something and comparing the objects location to another objects location to see if they are sufficiently close to each other. Even considering for argument that the location of one or both of the objects is “the space,” the objects location is not associated with any process. Next, the claim calls for providing at least a first information device that includes the processor. The Office Action cites paragraph 23, which identifies “a controller governing a manufacturing process.” The claim goes on to call for the step of using the processor to automatically perform the steps of (i) identifying the resources to be positioned within the sub-space; (ii) identifying the tags associated with the resources; and (iii) indicating the tags associated with the resources. The Office Action now cites paragraphs 19-20 and 27. Applicant respectfully questions how does any of

the cited Lemelson disclosure teach use a processor that identifies a resource to be positioned within a sub-space? And, how does any of the cited Lemelson disclosure teach identifying or indicating tags associated with the resources? Is the Office Action considering a position indicator to be a resource? If so, nowhere does Lemelson describe using the controller to identify position indicators to be positioned anywhere. For at least the above reasons, claim 68 and claims that depend there from are patentable over the cited references and Applicant requests that the current rejections be withdrawn.”.

D – The Examiner respectfully disagrees: As applicant states, the location of one or both of the objects is “the space”, however, the objects location is associated with a process, as Lemelson teaches, the objects must be in proper alignment for further work to be accomplished, which shows multiple processes that must be accomplished, first, the location of the objects must be determined, this is a process to identify the objects for this work, next, the objects must be moved to be in the proper position, again, this is a process of steps to move to the correct position, the reason for putting the objects in the predefined position is to accomplish some task, which again is a process [additionally, see figure 7].

Further, Lemelson teaches that when a task needs to be completed, resources are identified and the required position is obtained and then the resources can be moved as needed to place them in the proper resource [Lemelson, see at least paragraph 27]. Each resource is specifically identified as a resource and its position tracked (at least as

needed) and some resources are moved into a position in close proximity to other resources as needed in order to complete a process defined on the processor. It is unclear from the "questions" on page 12, first paragraph of what the argument is about, but should be answered within the response above.

2. Applicant's arguments, filed 09/06/2011, with respect to claim 63 have been fully considered and are persuasive based on the new amendment. The 102 rejection of claim 63 has been withdrawn. However, a new rejection is made based on the amendment.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 54, 56-59, 62, 64 and 68-70 are rejected under 35 U.S.C. 102(e) as being anticipated by Bohannon, (US Patent No. 6,847,856).

Regarding claim 54, Bohannon discloses a method for use with at least first and second resources to be arranged to perform a process within a space, the method for validating likely correct resource communications and comprising the steps of: providing a rule set including rules that indicate probable relative resource positions [Bohannon, column 5, lines 54-65 and column 6, lines 17-53]; specifying that a first resource communicates with a second resource [Bohannon, column 5, lines 32-46]; identifying the relative juxtapositions of the first and second resources [Bohannon, column 5, lines 32-65]; determining if the relative juxtapositions of the first and second resources are consistent with the rule set [Bohannon, column 5, lines 32-65]; and where, the relative juxtapositions of the first and second resources are inconsistent with the rule set, performing a secondary function [Bohannon, column 6, lines 36-50 and figure 4, item 48].

Regarding claim 56, Bohannon further discloses wherein the rule set indicates a maximum distance between the second resource and a reference point within the space such that, when the distance between the reference point and the second resource is greater than the maximum distance, the relative juxtapositions of the first and second resources are inconsistent with the rule set [Bohannon, column 6, lines 17-53].

Regarding claim 57, Bohannon further discloses wherein the reference point is the location of the first resource [Bohannon, column 6, lines 17-53].

Regarding claim 58, Bohannon further discloses wherein the secondary function is to indicate that the specified communication is improbable [Bohannon, column 6, lines 17-53].

Regarding claim 59, Bohannon further discloses wherein the method is performed in real time as a resource is added to a sub-set of resources to perform the process [Bohannon, column 6, lines 17-53].

Regarding claim 62, Bohannon further discloses wherein the environment includes an automated manufacturing facility [Bohannon, column 5, lines 32-34].

Regarding claim 64, Bohannon further discloses wherein the environment includes an automated manufacturing facility [Bohannon, column 5, lines 32-54].

Regarding claim 68, Bohannon further discloses a method for use with a plurality of resources to be linked via a network within an environment to perform a process and a processor running a program to control the process, the program including at least one of a program input and a program output tag for each of the resources, the method for facilitating association of tags and resources and comprising the steps of: associating a

space within the environment with the process [Bohannon, column 5, lines 54-65 and column 6, lines 17-53];

providing at least a first information device that includes the processor [Bohannon, column 5, lines 46-53];

determining the location of the information device within the environment [Bohannon, column 5, lines 46-65]; and

when the information device is proximate at least a sub-space within the space, using the processor to automatically perform the steps of [Bohannon, column 5, lines 54-65 and column 6, lines 17-53]:

identifying the resources to be positioned within the sub-space [Bohannon, column 5, lines 47-65 and column 6, lines 17-53];

identifying the tags associated with the resources [Bohannon, column 5, lines 47-65 and column 6, lines 17-53]; and

indicating the tags associated with the resources [Bohannon, column 5, lines 47-65 and column 6, lines 17-53].

Regarding claim 69, Bohannon further discloses identifying the resource to the network and indicating one of the tags via the information device that is to be associated with the resource [Bohannon, column 5, lines 47-65 and column 6, lines 17-53] and, wherein, the method further includes the step of associating the identified resource with the indicated tag [Bohannon, column 5, lines 47-65 and column 6, lines 17-53].

Regarding claim 70, Bohannon further discloses wherein the step of identifying the resource includes linking the resource to the network [Bohannon, column 5, lines 47-65 and column 6, lines 17-53].

5. Claims 54, 56-59, 62, 64 and 68 are rejected under 35 U.S.C. 102(e) as being anticipated by Lemelson et al., (US Publication No. 2003/0208302), (hereinafter Lemelson).

Regarding claim 54, Lemelson discloses a method for use with at least first and second resources to be arranged to perform a process within a space, the method for validating likely correct resource communications and comprising the steps of: providing a rule set including rules that indicate probable relative resource positions [Lemelson, paragraphs 19, 23 and 27];

specifying that a first resource communicates with a second resource [Lemelson, paragraphs 19-20 and 27];

identifying the relative juxtapositions of the first and second resources [Lemelson, paragraphs 19-20, 22 and 27];

determining if the relative juxtapositions of the first and second resources are consistent with the rule set [Lemelson, paragraph 27]; and

where, the relative juxtapositions of the first and second resources are inconsistent with the rule set, performing a secondary function [Lemelson, paragraph 27].

Regarding claim 56, Lemelson further discloses wherein the rule set indicates a maximum distance between the second resource and a reference point within the space such that, when the distance between the reference point and the second resource is greater than the maximum distance, the relative juxtapositions of the first and second resources are inconsistent with the rule set [Lemelson, paragraph 27].

Regarding claim 57, Lemelson further discloses wherein the reference point is the location of the first resource [Lemelson, paragraph 29].

Regarding claim 58, Lemelson further discloses wherein the secondary function is to indicate that the specified communication is improbable [Lemelson, paragraph 27].

Regarding claim 59, Lemelson further discloses wherein the method is performed in real time as a resource is added to a sub-set of resources to perform the process [Bohannon, column 6, lines 17-53].

Regarding claim 62, Lemelson further discloses wherein the environment includes an automated manufacturing facility [Lemelson, paragraph 3].

Regarding claim 64, Lemelson further discloses wherein the environment includes an automated manufacturing facility [Lemelson, paragraph 3].

Regarding claim 68, Lemelson further discloses a method for use with a plurality of resources to be linked via a network within an environment to perform a process and a processor running a program to control the process, the program including at least one of a program input and a program output tag for each of the resources, the method for facilitating association of tags and resources and comprising the steps of: associating a space within the environment with the process [Lemelson, paragraphs 19-20 and 27]; providing at least a first information device that includes a processor [Lemelson, paragraph 23]; determining the location of the information device within the environment [Lemelson, paragraphs 19-20 and 27]; and when the information device is proximate at least a sub-space within the space, using the processor to automatically perform the steps of [Lemelson, paragraphs 19 and 23]: identifying the resources to be positioned within the sub-space [Lemelson, paragraph 27]; identifying the tags associated with the resources [Lemelson, paragraphs 19-20 and 27]; and indicating the tags associated with the resources [Lemelson, paragraphs 19-20 and 27].

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 60 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lemelson as applied to claim 54 above, and further in view of Plumer et al., (US Publication No. 2001/0049595), (hereinafter Plumer).

Regarding claim 60, Lemelson does not specifically disclose wherein the method is performed in batch after a sub-set of resources has been configured to perform the process.

However, Plumer discloses that both continuous and batch processing applied at different levels [Plumer, paragraph 89].

It would have been obvious to one having ordinary skill in the art at time the invention was made to include batch processing in order to provide a level of functioning for each step of the process that is best suited for that step. It would have been obvious to combine Plumer with Lemelson as Plumer also relates to automation systems processes.

8. Claims 61, 63 and 65-67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lemelson as applied to claim 54 above, and further in view of Baker, (International Publication No. WO01/82032).

Regarding claim 61, Lemelson further discloses determine relative positions of the first and second resources [Lemelson, paragraphs 19 and 20].

Lemelson does not specifically disclose correlating logical network addresses with space locations and wherein the step of identifying the relative positions of the first and second resources includes specifying a network address for each of the first and second resources, determining the locations of the first and second resources from the correlated information.

However, Baker discloses network addressing of devices, the devices able to communicate with each other with a means for identifying the physical location so that the physical location is used as an address of the device [Baker, page 2, lines 9-24].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include network addresses for the devices in order to provide a system for

allowing devices to communicate over a network. It would have been obvious to combine Baker with Lemelson as Baker relates to automation systems with devices using network addresses.

Regarding claim 63, Lemelson-Baker further discloses a method for use with at least first and second resources to be arranged to perform a process within an environment, the method for validating likely correct resource communications and comprising the steps of: providing a rule set including rules that indicate probable relative resource positions [Lemelson, paragraphs 19 and 20] for resources that communicate with each other [Baker, abstract and page 4, lines 13-15]; specifying a first spatial relationship between first and second resources [Lemelson, paragraphs 19 and 20]; determining if the specified spatial relationship between the first and second resources is consistent with the rule set [Lemelson, paragraphs 19-20, 22 and 27]; and where the specified spatial relationship between the first and second resources is inconsistent with the rule set, performing a secondary function [Lemelson, paragraph 27].

Regarding claim 65, Lemelson-Baker further discloses a method for use with a plurality of resources to be arranged to perform a process, the method for validating likely correct resource communication and comprising the steps of:

providing a rule set including rules that indicate probable relative resource positions [Lemelson, paragraphs 19-20 and 27];

correlating logical network addresses with environment locations [Baker, page 2, lines 9-24];

specifying first and second network addresses for a first and a second resources, respectively [Baker, page 2, lines 9-24];

specifying that the first resource communicates with the second resource [Lemelson, paragraphs 19-20 and 27];

identifying the network addresses of the first and second resources [Baker, page 2, lines 9-24];

using the network addresses [Baker, page 2, lines 9-24] of the first and second resources to determine the relative positions of the first and second resources [Lemelson, paragraphs 19-20 and 27];

determining if the first and second resource relative positions are consistent with the rule set [Lemelson, paragraphs 19-20 and 27]; and

where the relative positions of the first and second resources are inconsistent with the rule set, performing a secondary function [Lemelson, paragraphs 19-20 and 27].

Regarding claim 66, Lemelson-Baker further discloses wherein the rule set indicates a maximum distance between the first and second resources such that, when the distance between the first and second resources is greater than the maximum distance,

the relative positions of the first and second resources are inconsistent with the rule set [Lemelson, paragraphs 19-20 and 27].

Regarding claim 67, Lemelson-Baker further discloses wherein the step of performing a secondary function includes indicating an improbable resource configuration [Lemelson, paragraphs 19-20 and 27].

9. Claim 71 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bohannon as applied to claim 70 above, and further in view of Opaterny, (US Publication No. 2004/0073850).

Regarding claim 71, Bohannon does not specifically disclose wherein the information device includes a display and wherein the step of identifying the tags includes providing a list of the tags and the step of indicating one of the tags includes selecting one of the tags from the list.

However, Opaterny in the same field of endeavor discloses an automation system for use that module identifiers presently of interest, and the locations where they are used are first selected from a reference list and displayed [Opaterny, paragraphs 7 and 9].

It would have been obvious to one having ordinary skill in the art at the time the invention was made to include a display for choosing an identifier from a list in order to provide the user with the ability to assign identifiers to a device (module) and then be able to obtain a location on that device. It would have been obvious to combine Opaterny with Bohannon as Opaterny is related to automation systems.

10. Claims 72-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bohannon as applied to claim 69 above, and further in view of Baker.

Regarding claim 72, Bohannon-Baker does not specifically disclose wherein each of the resources is associated with a network address and wherein the step of associating includes determining the resource address and correlating the resource address with the tag.

However, Baker discloses network addressing of devices, the devices able to communicate with each other with a means for identifying the physical location so that the physical location is used as an address of the device [Baker, page 2, lines 9-24].

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include network addresses for the devices in order to provide a system for

allowing devices to communicate over a network. It would have been obvious to combine Baker with Bohannon as Baker relates to automation systems with devices using network addresses.

Regarding claim 73, Bohannon-Baker further discloses wherein the process is repeated for each resource to be located within the sub-space [Baker, page 2, lines 9-24, plurality of devices].

Regarding claim 63, Bohannon further discloses a method for use with at least first and second resources to be arranged to perform a process within an environment, the method for validating likely correct resource communications and comprising the steps of: providing a rule set including rules that indicate probable relative resource positions [Bohannon, column 5, lines 54-65 and column 6, lines 17-53] for resources that communicate with each other [Baker, abstract and page 4, lines 13-15]; specifying a first spatial relationship between first and second resources [Bohannon, column 5, lines 54-65 and column 6, lines 17-53]; determining if the specified spatial relationship between the first and second resources is consistent with the rule set [Bohannon, column 5, lines 54-65 and column 6, lines 17-53]; and where the specified spatial relationship between the first and second resources is inconsistent with the rule set, performing a secondary function [Bohannon, column 6, lines 17-53 and figure 4, item 48].

Conclusion

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Examiner's Note: Examiner has cited particular paragraphs / columns and line numbers in the reference(s) applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in entirety as potentially teaching all or part of the claimed invention, as well as the context of the cited passages as taught by the prior art or relied upon by the examiner.

Should applicant amend the claims of the claimed invention, it is respectfully requested that applicant clearly indicate the portion(s) of applicant's specification that support the amended claim language for ascertaining the metes and bounds of applicant's claimed invention.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIAM GOODCHILD whose telephone number is (571)270-1589. The examiner can normally be reached on Monday - Friday / 8:00 AM - 4:00 PM EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571) 272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

WJG

/VIVEK SRIVASTAVA/

Supervisory Patent Examiner, Art Unit 2433